

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TONY BAILEY,	)	
	)	CIV. 8:04-cv-313
Plaintiff,	)	
vs.	)	
	)	<b>ORDER</b>
PRIMUS STERILIZER COMPANY,	)	
	)	
Defendant.	)	

THIS MATTER came before the Court on the Joint Motion of the parties seeking to dismiss Claim I, ADA. of Plaintiff's Amended Complaint without prejudice. The Court, being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Claim I, ADA, of Plaintiff's Amended Complaint (Filing 14) is hereby dismissed without prejudice.

DATED this 8th day of June, 2005.

BY THE COURT:

s/ Joseph F. Bataillon  
District Court Judge

Prepared by:

Edward F. Fogarty #11337  
FOGARTY, LUND & GROSS  
1904 Farnam Street, Suite 700  
Omaha, NE 68102  
(402) 341-3333  
Attorney for Plaintiff.